

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

FLOYD HARRIS and)	
DARLENE HARRIS,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:06cv211-MHT
REGIONS BANK, etc.,)	(WO)
)	
Defendant.)	

ORDER

In this lawsuit, the plaintiffs claim that certain actions of defendant Regions Bank, through its predecessor, Union Planters Bank, denied them due process and violated the Fair Debt Collection Practices Act with respect to the manner in which their mortgage was handled. This matter is now pending before the court on Regions Bank's motion to dismiss and alternative motion to transfer this case to the United States District Court for the Northern District of Alabama. Upon its independent review of the pleadings, the court concludes

that Regions Bank's alternative motion to transfer should be granted.

I. DISCUSSION

28 U.S.C. § 1406(a) allows courts, "in the interest of justice," to transfer a case "to any district or division in which it could have been brought." In this case, there is no question that venue would be proper in the Northern District of Alabama. The plaintiffs concede that venue is proper in Northern District and do not object to the transfer of this case to that district; in fact, the plaintiffs affirmatively request that this court transfer this matter. Furthermore, all actions that form the basis of the plaintiffs' claims occurred in St. Clair County, Alabama, which is in the Northern District; the plaintiffs and the property in dispute are located in St. Clair County; and defense counsel is located in Jefferson County, Alabama, which is also in the Northern District. Consequently, the court concludes

that the interest of justice demands that this case be transferred to the Northern District.

II. CONCLUSION

Accordingly, it is ORDERED as follows:

(1) Defendant Regions Bank's motion to dismiss (doc. no. 6) is denied without prejudice.

(2) Defendant Regions Bank's alternative motion to transfer (doc. no. 6) is granted.

(3) Pursuant to 28 U.S.C. § 1406(a), this case is transferred to the United States District Court for the Northern District of Alabama.

The clerk of the court is DIRECTED to take appropriate steps to effect the transfer.

Done this the 17th day of April 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE